

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF INDIANA  
EVANSVILLE DIVISION

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	
	)	
v.	)	No. 3:18-cr-00026-RLY-MPB
	)	
ISAAC C. GARNER,	)	-01
	)	
Defendant.	)	

**REPORT AND RECOMMENDATION**

On August 31, 2020, the Court held an Initial Appearance on a Petition for Violation of Supervised Release. Defendant Garner appeared in person with appointed counsel Ron Freson. The government appeared by Assistant United States Attorney Lauren Wheatley. The United States Probation and Parole Office appeared by Officer Brian Deardurff.

The Court conducted the following procedures in accordance with Fed. R. Crim. P. 32.1(a)(1) and 18 U.S.C. § 3583:

1. The Court advised Defendant Garner of his rights and provided him with a copy of the petition.
2. After being placed under oath, Defendant Garner admitted violation 2 ([Docket No. 2](#)).
3. The allegations to which Defendant admitted, as fully set forth in the petition, are:

	Violation Number	Nature of Noncompliance
	2	<p>"The defendant shall not leave the judicial district without the permission of the court of probation office."</p> <p>On May 14, 2020, Issac Garner left the judicial district without the permission of the court or probation office and was subsequently arrested in Carbondale, Illinois for Domestic Battery by Bodily Harm, Misdemeanor.</p> <p>As previously reported to the court, Issac Garner left the judicial district without the permission of the court of probation office on January 25, 2019, as a result of this non compliance the court modified Mr. Garner's conditions to include GPS monitoring for up to 120 days.</p> <p>As previously reported to the court, Issac Garner left the judicial district without the permission of the court of probation office on October 2, 2019, as a result of this non compliance the court modified Mr. Garner's conditions to include residential reentry center for a term of up to 180 days.</p>

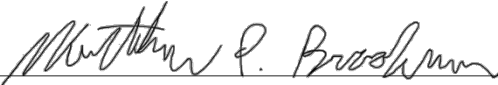
4. The parties stipulated that:
- (a) The highest grade of violation is a Grade C violation.
  - (b) Defendant's criminal history category is VI.
  - (c) The advisory range of imprisonment applicable upon revocation of supervised release, therefore, is 8-14 months' imprisonment.

5. The parties jointly recommended a sentence of 8 months with no further supervision to follow.

The Magistrate Judge, having considered the factors in 18 U.S.C. § 3553(a), and as more fully set forth on the record, finds that the Defendant violated the conditions as outlined in violation 2 of the petition, that his supervised release should be revoked, and that he be sentenced to custody of the Attorney General or his designee for a period of eight (8) months with no further supervision upon release from imprisonment.

The parties are hereby notified that the District Judge may reconsider any matter assigned to a Magistrate Judge. The parties have fourteen days after being served a copy of this Report and Recommendation to serve and file written objections with the District Judge.

Dated: September 1, 2020

  
Matthew P. Brookman  
United States Magistrate Judge  
Southern District of Indiana

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